
From Excitement to Despair: Dealing with the Budget Crisis

A little more than a decade ago, the National Institute of Corrections produced a monograph entitled *Managing Probation with Scarce Resources: Obstacles and Opportunities*. The authors of this publication were all members of the National Association of Probation Executives and, by most accounts, considered leaders in the probation profession. Since the monograph's publication in January 1992, four of the five authors—Donald Cochran, Barry Nidorf, Gerald S. Buck, and Don R. Stiles—have retired. And the fifth author, Ronald P. Corbett, Jr., ceased direct involvement with the field of probation when he became Executive Director of the Massachusetts Supreme Judicial Court.

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In reading that monograph today, one is immediately struck with two things: first, the vision, wisdom, and breadth of experience of the authors; and second, the similarity of those times and today. In the introductory chapter Ron Corbett wrote about budget shortfalls, eliminating programs, exhausting financial reserves, and laying off or furloughing employees. What he wrote could just as easily describe the financial condition of many states today as it did more than 10 years ago. Many corrections agencies—and particularly community corrections agencies—are, at best, experiencing severe financial challenges, while others, regrettably, are faced with the grim prospect of, using Corbett's terminology, a "financial meltdown."

Before dwelling on the apparent financial crisis facing community corrections, let us go back a couple of years to some happier times.

Brief Excitement: Key Strategies

In 1999, there was an air of excitement in the field of community corrections, and particularly probation, when the Manhattan Institute in New York published *"Broken Windows" Probation: The Next Step in Fighting Crime*. The level of excitement became more intense a year later when the Manhattan Institute followed up on this initial monograph with a more comprehensive publication—*Transforming Probation Through Leadership: The "Broken Windows" Model*. These two publications, written by the Reinventing Probation Council, whose members number among the country's leading community corrections practitioners, acknowledged serious problems associated with probation and offered solutions for remedying its ills.

The message contained in these two publications found a receptive audience in probation professionals who were less than enamored with the anemic state of

community corrections and who were willing to embrace a new probation choreography. And with this receptive excitement, the “reinventing probation” movement became a reality.

Although the focus of these two publications was on probation practices, the strategies identified were just as applicable to parole and other community corrections agencies.

Advocated by the Reinventing Probation Council were a number of key strategies that would move probation from an under-funded, unappreciated, and unknown correctional option to one that would be “at the table” when correctional policy was being crafted and that would play a preeminent role in promoting public safety. Those key strategies included:

- ◆ A value-driven system;
- ◆ Emphasis on public safety;
- ◆ Meaningful supervision;
- ◆ Rational allocation of resources;
- ◆ Strong enforcement of conditions and a rapid response to violations;
- ◆ Meaningful partnerships;
- ◆ Performance-based initiatives; and
- ◆ Leadership.

A more thorough examination of these key strategies provides guidance for a reinvented probation and explains the optimism shared by many community corrections practitioners for the future of the profession. These key strategies can also serve as a blueprint for success in times of fiscal difficulties.

Value-driven system. First and foremost, community corrections practices must be driven by a clear and convincing set of values, values that are held dear by the American people. Public opinion polls suggest that the public’s desires concerning the criminal justice system are very clear. The public wants:

- ◆ Safety from crime, and particularly violent crime;
- ◆ Offenders held accountable;
- ◆ Offenders to pay back to society, in either actual or symbolic restitution;

- ◆ Some form of punishment;
- ◆ Meaningful treatment programs based on research;
- ◆ A voice that is heard and respected in the justice system; and
- ◆ The truth.

Despite the guidance provided by this clear message, it was not until recently that probation practitioners could agree on the mission of probation. That mission is the promotion of public safety.

Emphasis on public safety. In a reinvented probation, practitioners must be mindful of the public's desire for safety. To citizens, crime rates, arrest rates, and conviction rates are not as important as the degree of safety in their own neighborhood or community. More specifically, the public wants to be assured that: they can walk around the block in the evening without fear; their children can play at local playgrounds safely; their schools are safe; if offenders are living in their neighborhoods, they are being supervised closely and being held accountable; and there will be fewer victims in the future.

The only way these concerns can be answered by community corrections is by emphasizing public safety first.

Meaningful supervision. For too long the profession has suffered from "fortress" or "bunker" probation, where supervision took place in the office of probation officers. For probation supervision to be effective, it must take place in the community where the offenders live, work, and recreate. Firsthand knowledge of where offenders live, their families, and their immediate and extended environments is a critical aspect of meaningful supervision. In addition to just being in the community, probation should be highly visible, and the visibility must be positive in nature.

Meaningful supervision also means supervision that is conducted at times not confined to the traditional 8:00 a.m. to 5:00 p.m., Monday through Friday, work day. To be effective, supervision must take place at night, on weekends, and on holidays.

Rational allocation of resources. The rational allocation of resources is especially important in times of diminishing budgets. Probation practitioners must focus on those offenders who are most at risk and on those whose offenses or affiliations pose a public safety risk, such as sex offenders, gang members, drug dealers, and those with histories of violence. The rational allocation of resources is driven, to a great degree, by information concerning the offender under supervision; therefore, probation practitioners should develop as much information as possible on offenders through comprehensive presentence investigation reports, juvenile records, psychological evaluations, and risk/need assessments. In addi-

tion, probation agencies must employ assessments at the front end of the system to make valid placement decisions and continue to use a variety of assessment instruments for specific offenders to regularly monitor their progress.

Probation officers should be strategically assigned to specific geographical areas rather than being randomly assigned to offenders as they are placed on probation. This more rational practice affords probation officers excellent opportunities to develop partnerships with law enforcement officers and area service providers.

Strong enforcement and a rapid response to violations. All too frequently, offenders under correctional supervision in the community have come to expect two or more “free ones” when it comes to dirty urine samples, electronic monitoring violations, refusal to keep scheduled appointments, or failure to comply with a variety of conditions. By allowing these transgressions to occur, probation has become the great enabler; if offenders know they have several “bites at the apple” before they are held accountable, they have reason to feel relatively safe in continuing those behaviors that caused them to be placed on probation. For probation to be meaningful, this permissive practice must be abandoned, and in its place there must be a strong commitment to enforcing all conditions and responding in a timely manner to violations.

A critical part of enforcing conditions of probation is having the cooperation of the courts, where violations are usually addressed. Probation programs that strictly enforce conditions and enjoy a supportive relationship with the courts tend to have fewer problems with offender compliance issues. The key is that the response must be swift and sure. The response to violations need not be revocation of probation, but rather the employment of graduated sanctions, such as a curfew or house arrest, intensive supervision or electronic monitoring, mandatory drug treatment, a brief period of confinement in jail, or placement in a residential facility for an extended period to provide greater structure in the offender’s life.

In addition, probation agencies need to be tough-minded and put teeth into apprehending absconders. Many jurisdictions have high absconder numbers and do not aggressively attempt to apprehend their absconders. Failure to actively seek out absconders does not speak well of probation’s public safety function and sends a terrible message to offenders.

Partnerships. Crucial to the success of probation are the involvement and support of other agencies, organizations, and interest groups. With this in mind, probation professionals should practice inclusiveness—both formally and informally—when developing policies, initiating programs, crafting supervision strategies, and delivering services.

Collaboration by probation and other agencies will result in an economy of resources. It will also provide more effective service delivery to the community, and it will increase the opportunity for offenders to comply successfully with conditions and complete the period of supervision.

Performance-based initiatives. Information-based decision-making is critical to delivering effective probation services. Evidence-based practices are also essential in rationally allocating agency resources. Because of diminishing financial resources, all probation agencies must make decisions about developing, adjusting, or retaining programs based on performance. In achieving this, strategic planning principles should be employed and good evaluation models developed to measure program effectiveness.

Leadership. In the final analysis, leadership is the key component to drive a probation system that has values, rationally allocates limited resources on programs and strategies that work, provides meaningful supervision and a quick response to violations, practices inclusiveness, is accountable, and emphasizes public safety.

Noel M. Tichy, Professor of Business at the University of Michigan at Ann Arbor, offers one of the better descriptions of leadership:

In a broad sense, what leaders do is stage revolutions. They are constantly challenging the status quo and looking around to see if they are doing the right things, or if those things can be done better and smarter. And most importantly, when they do spot something that needs to be changed, they do something about it.

Shortly after the release of the Manhattan Institute's initial monograph—*"Broken Windows" Probation: The Next Step in Fighting Crime*—a significant number of community corrections administrators, excited by the prospect of probation assuming its rightful role in crafting criminal justice policy, stepped up to the plate of leadership and began implementing the suggested strategies. In Tichy's terms, they began to "stage revolutions."

The Decline Into Despair

In 2001, much of the excitement and optimism of the past 2 years began to erode, primarily as a result of serious budget constraints. States began to project budget shortfalls, and the language of reinventing probation was being replaced with talk of laying off staff, eliminating programs, dealing with unfunded mandates, lowering standards, closing offices, reducing the emphasis on staff training, and increasing caseloads.

Compounding the budget crisis were the devastating attacks of September 11, 2001, by foreign terrorists. As a result of the events of that tragic day, dollars in already strained federal and state budgets were, and continue to be redirected to address homeland security issues. Further compounding the problem is the decline in the stock market, driven by company failures, corruption, and a growing distrust in corporate America. According to the Wilshire 5000 index, which tracks every publicly traded domestic company in the United States, between March 24, 2000, and July 18, 2002, "the market has lost more than \$7 trillion in value and shed more than 1,000 companies." As a result of this decline, many state-operated pension plans have lost billions in investments.

Because of shortfalls in budget projections and the need to focus on homeland security issues, questionable corporate practices, and other pressing concerns, it is doubtful that probation and parole agencies—despite the fact that they are responsible for supervising more than 4.6 million offenders, or 70% of the entire correctional population—will be found in the top half of the list of funding priorities when legislative bodies meet to parcel out tax dollars.

Avoiding Lost Opportunities

Despite the lean years ahead, community corrections executives should not adopt a mentality of “woe is me” and surrender to the plight they face. With crises come “windows of opportunity” that probation and parole executives should be ready to open. Budget constraints may provide community corrections administrators with opportunities to:

- ◆ Eliminate organizational “dead wood”;
- ◆ Reorganize the agency and reassign duties;
- ◆ Challenge the status quo mentality;
- ◆ Consolidate services;
- ◆ Discard programs of dubious merit that are not supported by research;
- ◆ Shift responsibility for unfunded mandates;
- ◆ Engage partners;
- ◆ Refocus organizational philosophy;
- ◆ Identify and eliminate obstacles; and
- ◆ Improve efficiencies.

Management guru Peter Drucker suggests that agencies and organizations routinely conduct self-assessments to provide focus and direction, and this is particularly important during hard times. More specifically, use of Drucker’s deceptively simple self-assessment tool, which follows, could serve as a prelude to a formalized strategic planning exercise:

- ◆ What is our mission?
- ◆ Who is our customer?
- ◆ What does the customer value?

◆ What are our results?

◆ What is our plan?

Thoughtfully responding to these five questions will provide guidance in dealing with challenges and periods of difficulty. Taking the process a step further, applying the responses to the key strategies suggested by the Reinventing Probation Council should lead to community corrections programs and initiatives that are rational and worthy of support by the public and policymakers.

In addition to Drucker's five questions, there is a sixth question probation and parole executives should ask and be prepared to answer: "What do we want people to say about our agency in 1, 2, or 5 years?" Revisiting that question on a regular basis should keep us focused on the tasks at hand.

This Issue of *Topics in Community Corrections*

Contained in this publication are articles describing how community corrections agencies have responded to budget cutbacks and shortfalls. Contributing are some of the leaders in community corrections in North America. Themes found in their articles include:

- ◆ The rational reallocation of resources;
- ◆ Improved efficiencies;
- ◆ Damage control strategies;
- ◆ Technology's role in times of fiscal constraints;
- ◆ Workload equalization;
- ◆ Evidenced-based practices;
- ◆ Strategic planning;
- ◆ Reductions in expenditures; and
- ◆ Organizational change strategies.

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